

AN IDEA: THE SOCIETY OF NATIONS (ORIGIN, ORGANISATION, AIMS)

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The beginning of the 20th century found the states preoccupied to found an international organisation whose main aim should have been the keeping of general peace.

The American president Woodrow Wilson in his speech on the 27th of May 1916 said: "The principles of the public right must be prevailing over the particular interests of each nation. All the nations of the universe must found a sort of League in order to do so that the right of law should prevail against any selfish aggression, to avoid making an alliance against another. A collective force will be founded to defend the right of law, the basic and most important interest for all peoples and governments. This force will not ever be in the service of political ambitions as of the selfishness in conflict but in the service of universal order, of universal peace¹".

We find the fundamental reason of creating the Society of Nations in point 14 of the American peace proposals. Here, the Society of Nations is described as a "general associations of nations that must be strengthened by special pacts which offer mutual guarantee, political independence and territorial integrity both to the big and small states²".

The number of small and middle sized states prevailing within the Geneva institution, the history of its activity will be to a great extent revealed by the "struggle" between the small and middle sized states who wanted that the norms and principles of international right of law should be imposed and respected and the great powers who were not yet ready to abandon their traditional policy, based on force, secret negotiations, powers who were not ready to support the role of the small and middle sized states in the international political life arena.

In the opening meeting of the Peace Conference from the 25th of January 1919 there was adopted a resolution in which it was specified that "a League of Nations will be created, that its status will be part of the peace treaty and that a commission of the Conference will be encharged with the details of founding it up and its tasks³".

In the commission for the elaboration of the Pact of Society of Nations there were 19 members. Two completely opposite concepts have confronted each other from the very beginning: the French project and the Anglo-American project.

England and United States of America considered the public opinion and the moral force enough to dismantle any international conflict.

France wanted to be taken constraining measures against the aggressive states that meant the creation of an international force army. A compromise was finally found between the two viewpoints.

On the 14th of February 1919 the project of the Pact of Society of Nations was advanced to the Peace Conference. In the evening of the same day, president Woodrow Wilson left Paris to present this project to the American Senate.

During the plenary meeting of the Peace Congress from the 28th of April 1919, the delegations voted the Pact of the Society of Nations with the recommendation to be reproduced as a first part in the five Paris peace treaties. The Pact of the Society of Nations was also signed by Romania through its participants Nicolae Titulescu and dr. Ion Cantacuzino. The Pact started to be applied beginning with the 20th of January 1920 having as its founding members 26 states, 4

¹ Wilson Woodrow, *Messages, discours, documents diplomatiques*, Paris, vol. I, 1918, p. 81

² Emilian Bold, *Activitatea României la Societatea Națiunilor, 1919-1933* în *Analele Științifice ale Universității "Al.I. Cuza" din Iași*, istorie t. XXVI, 1980, p. 108

³ Petre Bărbulescu, *Societatea Națiunilor de la principii la realitate*, 1919-1939, în *Revista română de studii internaționale*, no. 2, 1975, p. 161

dominions and India as countries who fought against Germany. 13 states got the right to join the Society of Nations in two months' time, especially the neutral states⁴.

On the occasion of signing the Pact of the Society of Nations, the great Romanian diplomat Nicolae Titulescu said that "democracy has become a part of the international life by means of the Society of Nations and owing to this, all the states are equal in front of law⁵."

On the 10th and 29th of July 1919, the American president Woodrow Wilson presented the text of the Versailles Treaty together with the Pact of the League of Nations to the American Senate. But the opposition, republican in majority, considered the stipulations of these documents "contrary to the USA Constitution."⁶

President Wilson initiated a large propaganda campaign for the approval of these documents, hoping to change the attitude of opposition. But the option of the American Senate could not be changed, this one rejecting the ratification of the Versailles Treaty and implicitly of the Pact of the Society of Nations on the 19th of November 1919 and on the 19th of March 1920⁷.

There were several official reasons for this refusal, published by USA. First of all they said that the Americans could not take the obligation to defend other states territorial integrity, to obey the arbitration or decisions taken in Geneva, its own policy different from those adopted through the laws and by the will of the American states⁸.

The United States of America were asking that the "Monroe Doctrine" should be introduced in the Pact of the Society of Nations as well as the stipulation that USA will have the possibility to leave the Society of Nations when the circumstances are asking for this.

"Monroe Doctrine" will be introduced in the Pact (article 21) and will be presented as being compatible with spirit of the Society of Nations. But "Monroe Doctrine" was a shield of American egocentrism, USA being able thus to involve foreign matters in keeping with the so-called independent internationalism⁹.

According to this independent internationalism, USA declared they would interfere in the European policy only on the economical level, that of business, that many American politicians were running in Europe. This was a concession given to USA who also received the right to summon up the first General Assembly and the meeting of the Council of the Society of Nations.

As a major defiance USA refused to admit Geneva's decisions regarding the reduction of weapons and their control especially after the defeat of the Democrats in USA presidential elections from November 1920 by the victory of the Republicans led by Harding¹⁰.

USA's refusal to ratify the Pact of the Society of Nations and cooperate with the institution in Geneva had serious consequences. The United States of America deprived The League of Nations of the power, prestige and influence of the country which had the first place in world production at that time and maybe half of the world stock in the world, at the same time representing a powerful military force.

Coming back to the Pact of the Society of Nations, it included 20 articles and an appendix with its original members, the states invited to join the Pact and the name of the general secretary: Sir James Eric Drummond¹¹

⁴ Pierre Milza, George Bernstein, Istoria Europei, vol V, Iași: European Institute Publishing House, 1998, p. 40

⁵ Ion Agrigoroaiei, Nicolae Titulescu și relațiile României cu marile puteri, în Anuarul Institutului de Istorie și Arheologie "A.D.Xenopol", Iași, Iași, XIX, 1982, p. 245

⁶ Firmin Roz, Histoire des Etats-Unis, Paris, A. Tayard, 1930, p. 422

⁷ A.J.P. Taylor, Originile celui de-al doilea război mondial, Iași: Polirom Publishing House, 1999, p. 39

⁸ F.P. Walters, A History of the League of Nations, Oxford University Press, 1967, p. 80

⁹ Ibidem, p. 81

¹⁰ Firmin Roz, op. cit., p. 424

¹¹ Mihai Iacobescu, România și Societatea Națiunilor între 1919-1933, Iași: "Al. I. Cuza" University, 1975, p. 3

In the opening of the Pact there were defined the goals of the institution from Geneva: development of the cooperation among nations, guarantee of international peace, assuming the obligation not to start the war, to hold open relations based on the necessity to respect the treaties and to impose the international right of law, it was stipulated that the members of the Society of Nations recognize the necessity to reduce the national weaponry into the minimum necessary for national defence and respect the obligations they had on the international level¹².

There were formulated some major imperatives: presentation of the most frequent war causes by the intensification of the economic and financial cooperation and of the equal access of the states to the sources of raw materials and accepting all the states in the Society of Nations; democratization of the internal life of each state as a premise of the democratization of international life and of the success the international right of law¹³.

Article 8 from the Pact stipulated the necessity to reduce the national weaponry to depending on the “geographical position and special conditions of each country”¹⁴ up to the minimum necessary to defend the internal order.

The principle of the territorial integrity of the states is mentioned in article 10 of the Pact of the Society of Nations where it was stipulated its members’ obligations “to respect and defend the territorial integrity and political independence of all the state members against any exterior aggression.”¹⁵

The means and proceedings that had to be followed in the case of conflicts according to the Pact of the Society of Nations were: arbitration; observation of a three- month term after the sentence or making a the report on the Council; breaking of the commercial and financial relations with the state guilty of aggression; introduction of economic and financial sanctions. The Council can also establish military sanctions by the unanimous vote of its members. All these stipulations were included in the articles 12, 13, 14, 15, 16, 17, representing fundamental principles of international diplomacy: the principle of respecting international treaties (“Pacta sunt servanda”); the principle of solving state conflicts by peaceful means; the principle of national sovereignty; the principle of nonaggression¹⁶ etc.

The principle of general and European security is found in article 11 of the Pact of the Society of Nations formulated as follows: “It is clearly declared that any war or war threat that affects directly or not one of the member of the Society of Nations is of interest for the whole Society and this is obliged to take its own measures to safeguard efficiently the peace of nations”¹⁷

In 1921 at Nicolae Titulescu’s proposal it was specified the content of article 18 of the Pact of the Society of Nations that stipulated that recording and publication of the treaties between the member states by the Geneva secretariat is made “as soon as possible” – it is replaced with a three month deadline¹⁸

Article 23 of the Pact included the obligation of the member states to ensure adequate work conditions in its own territories as well as in those they had relations with.

Nicolae Titulescu who became a permanent delegate as the Society of Nations in December 1921 proposes in the same year to D Negulescu from the Juridical Commission in Geneva that article 20 from the Pact of the Society of Nations should be modified not by the simple majority of votes as it was initially stipulated but by the majority of $\frac{3}{4}$ of the voters to

¹² Petre Bărbulescu, op. cit., p. 164

¹³ F.P. Walters, op. cit., p. 82

¹⁴ Nicolae Dașcovici, Interesele și drepturile României în texte de drept internațional public, Iași, 1936, p. 53

¹⁵ Ibidem, p. 54

¹⁶ Ibidem, p. 55

¹⁷ Ibidem, p. 56

¹⁸ Angara Niri, Din contribuția diplomației române la apărarea și perfecționarea Pactului Societății Națiunilor în perioada 1919-1929, în Revista română de studii internaționale, no. 12, 1971, p. 154

prevent the adoption of some decisions or resolutions with a great number of votes against or abstains that would have weakened the effect of the decision and prestige of the Society of Nations¹⁹.

The pact of the Society of Nations also stipulated: the control over the trade of women and children, drug traffic control, the export of weapons and ammunitions, the liberty of communication and transit, measures for prevention and combating diseases, encouragement of the Red Cross activity etc.

According to the Pact, the great powers had the privilege of permanent representatives in the Council under the pretext of the great responsibilities they have in the world.

England had the right to vote of five its dominions (Canada, Australia, South Africa, New Zealand and India) and named the general secretary of the Society of Nations of its politicians over a ten year period. There serious inequities and compromises will have extremely serious consequences in the evolution of the Society of Nations²⁰.

The main leading institutions of the Society of Nations were: the Assembly and Council assisted by a permanent Secretariat. Besides the Society of Nations they have worked as separate institutions but closely linked to it the Labour International Organisation and the Permanent Court of International Justice.

The assembly was made up of representatives of all member states, three for each state, having one vote in the assembly. The session of the assembly were held each year in Geneva, usually starting in September or anytime stringent necessities determined one or more member states to solicit the challenge of Gathering, what implied the previous approval of the majority member states. The Assembly meetings were public. The Assembly was competent to deal with any problem connected to the activity of the Society of Nations or affected world peace. The decisions of the Assembly were adopted by unanimous vote. The Pact of the Society of Nations stipulated exceptions to this principle regarding the acceptance of new members in the League and the election of nonpermanent members in the Council, when a 2/3 majority was necessary (without taking the abstains into consideration), as well as with the proceeding matters when a simple majority was required²¹.

The Council represented the executive body of the Society of Nations and it was made of permanent and nonpermanent members, elected by the Assembly.

Article 4 paragraph 1 of the Pact stipulated that The Council of the Society of Nations was made up of the representatives of the allied and associated powers that is USA, The British Empire, France, Italy, Japan as permanent members and other four representatives designed by France, Italy, Japan as permanent members and other four representatives named by the Gathering for a period to be settled. The Pact specified that until their designation by the Assembly, the representatives of Belgium, Brasil, Spain and Greece were members of the Council.

The competence of the Council was defined in the Pact in the same way as the Assembly. It had certain particular tasks that referred to the peaceful solving of the disputes, taking adequate measures in case of the aggression and distribution of mandates.

The decisions of the Council had to be adopted with the unanimity of votes (the votes of the states that abstained were not counted). Nor the votes of the parts involved in the dispute to be solved were taken into consideration. The Council met in sessions three or four times a year. The sessions could be public or secret²².

¹⁹ Ibidem, p. 165

²⁰ Petre Bărbulescu, La Société des Nations – une grande expérience pour l'humanité, in Revue roumaine d'études internationales, no. 1, 1981, p. 59

²¹ Henry Kissinger, Diplomația, Bucharest: All Publishing House, 1998, p. 122

²² Mihai Iacobescu, România și Societatea Națiunilor, 1919-1929, București: Ed. Academiei, 1988, p. 44

The secretariat was made of the general secretary, named by the Council with the approval of the majority of the Assembly members, of the competent persons and by observing a right geographical representation²³.

The Society of Nations grouped the elite of the world diplomacy of the time: Henry Bergson, Albert Einstein, Marie Curie-Sklodowska, Thomas Mann, Paul Valère, Jean Paul-Boncour, Eduard Beneş, Maxim Litvinov, G. Stresemann, Aristide Briand, Louis Barthou, Austen Chamberlain, Anthony Eden.²⁴

After the approval and publishing the echoes of the Pact appeared. In Los Angeles, "Times" gazette wrote that the Pact was "Wilson's last crazy deed"²⁵

In London, "Times" wrote that "Peace and its maintainance had come from the sky. Moreover, for the first time, peace has its own lightnings"²⁶.

In Paris, "Le Figaro" considered the Pact of the Society of Nations as "a triumph of the French ideals"²⁷ and in Rome, "Giornale d'Italia" named the Pact "the sublime act of international solidarity"²⁸. The more realistic analyses were not absent. For example "L'Humanité" stated that by the Pact signed in Paris "we are far from Wilson's first proposals"²⁹

Albert Einstein considered the creation of the institution in Geneva as "the most important matter in the sequence of civilization"³⁰ and Eduard Beneş as "the expression of democratization of Europe and of the world"³¹

A brief analysis of the main articles of the Pact of the Society of Nations did not have a real efficiency in maintaining peace. The Pact of the Society of Nations being possible to be interpreted in multiple ways that reduced its efficiency in exceptional circumstances.

The obvious lacks of the Pact of the Society of Nations have thus synthesized by Nicolae Titulescu: "The Pact made the war start more seriously, but it did not exclude the legal war in the condition of the right of peoples; the Pact did not include an obligatory solution for the international conflicts and not even solutions for the conflicts without exception"³². There must be outlined that the Society of Nations also created the possibility of actions directed towards peace defending, first of all those who were interested in the preventing the change of the territorial conditions of the peace treaties.

By this the Society of Nations represented a good means for the interested states, especially for the small and middle-sized countries, to maintain their territorial integrity. The economic crisis with numerous and serious consequences in all the fields, was one of the fundamental elements that determined the decline and finally the disappearance of the Society of Nations³³.

Dimitrie Gusti's words are full of deep significances "The Geneva experience has the great merit to have demonstrated that the most wonderful political institutions the lawmen's best works, the most frequently gatherings, the most objective arbitration tribunals, the loftiest idealism and the statesmen with the most daring ideas cannot do anything seriously if the social and

²³ Petre Bărbulescu, România la Societatea Naţiunilor, 1929-1939: Momente şi semnificaţii, Bucureşti: Political Publishing House, 1975, p. 25

²⁴ Mihai Iacobescu, Rolul forului de la Geneva pe frontul păcii generale, în Titulescu şi strategia păcii, coord. Gh.Buzatu, Iaşi: Junimea, 1982, p. 159

²⁵ Mihai Iacobescu, România şi Societatea Naţiunilor..., 1919-1929, p. 47

²⁶ Ibidem, p. 47

²⁷ Ibidem, p. 48

²⁸ Ibidem, p. 49

²⁹ Ibidem, p. 50

³⁰ Henry Kissinger, op. cit., p. 140

³¹ Ibidem, p. 142

³² Petre Bărbulescu, Organizaţiile internaţionale în concepţia lui Nicolae Titulescu. Rolul şi locul Societăţii Naţiunilor în viaţa internaţională interbelică, Bucharest: Political Publishing House, 1982, p. 40

³³ Ibidem, p. 41

economic basis of the nations does not correspond to the political and juridical building that we want to build peacefully”³⁴.

The Chinese-Japanese conflict, Ethiopia’s attack by the fascist Italy, the reoccupation of the Rhineland by Germany, the Russian – Finnish war represent many crises in which the Society of Nations proved to be helpless to solve.

We consider that the defining element that lacked the Society of Nations was a military force by which it could solve the political crises appeared and apply military sanctions to the aggressive states which, by their deeds, attacked the universal peace, the supreme aim for which the Society of Nations had been founded.

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³⁴ Dimitrie Gusti, Selected Pages, București: Ed. Științifică, 1985, p. 365